

State of Michigan
Before The Michigan Judicial Tenure Commission

Complaint Against

Honorable Steven Ford
Judge 92nd District Court
100 S. Marley St.
St. Ignace, Michigan 49781

Formal Complaint No. 74

Answer

Steven E. Ford, being duly sworn, responds to the complaint filed in this matter by the Michigan Judicial Tenure Commission as follows:

1. Respondent at all relevant times has been a judge of the 92nd District Court, Luce and Mackinac Counties Michigan.

Answer Respondent admits this allegation and further states that during this time he was the only judge of the 92nd District Court.

2. Respondent has engaged in a pattern of sexual harassment of female court employees, and has utilized computer equipment to view pornographic material on the internet, which constitute acts of misconduct under the Michigan Constitution, Code of Judicial Conduct, and Michigan Court Rules.

Answer: Respondent makes response to this allegation in all of the remainder of the complaint. However if an answer is deemed necessary the Respondent denies ever intentionally sexually harassing or touching any person, but does admit that while using the internet in the Court office various material which may be deemed pornographic by some people has been viewed by respondent. It should be realized that material banned in one generation as pornographic has been assigned to school children to read in succeeding generations. The naked female body is either an object of great art or pornographic in the eyes of the beholder. The precise answers to this general allegation are detailed in the remaining answers to allegations herein.

Count I
Sexual Harassment

3. In late 2001 or early 2002, Mackinac County District Court Magistrate Judy St. Louis approached Respondent for counseling, as she had done in the past as Respondent is also an Episcopalian minister.

Answer: From the time of her hiring through March of 2003 I have talked with Judy St. Louis about many issues of concern to her. I also talked with all other court staff in both offices and

many other people in the court house. Never, in my memory have I ever claimed any special talent as a counselor because I am an Episcopal Priest. Indeed I have always believed that church and state should be separate and have never sentenced a person to attend church or refused to sentence a person because it was Christmas or any other religious holiday. My being an Episcopal Priest relates to my faith which I hope is apparent to all, but never have I tried to counsel any person, defendant, or staff in my role as a priest. None of them attend my church. However Judy did tell me and anyone else in the office that would listen that she did not intend to ever marry the person she was engaged to and was planning to build a new house with. I, and many other people, advised her not to go ahead with the construction of a house with a man she did not intend to marry. This was especially true because she had not told her fiancé' that she did not intend to marry him.

4. Magistrate St. Louis discussed the fact that her fiancé' was not affectionate with her during a trip to Atlantic City, and was more intent on keeping to a schedule he had established for the vacation.

Answer: Ms. St. Louis did tell me and many other people this. She asked me if it was normal for her fiancé' not to want to have sex during such a vacation. I told her that it was not necessarily normal, but it was only a problem if it was a problem to her. That how much or how little a married couple had sex was never a problem unless it was a problem for one of them.

5. Respondent replied by stating that if he was dating Magistrate St. Louis and was on vacation with her, he would never want to leave the hotel room, and would stay in bed and make love to her all day long.

Answer: First the only person I have ever had sex with is my wife, Cheri and then only after we were married, even though we dated for three years. I may well have said that if I were younger, and single, and did not have a moral problem with premarital sex. I myself would have probably wanted to make love on such a vacation. She asked me during the discussion if I meant that I wanted to make love to her, and I said "No, I said if I were not married and was in the circumstance you describe it would be normal to make love." I want to make it clear that I have never asked Ms. St. Louis or any of my court staff for a date. I have never sent them a card, a letter, an e-mail. I have never eaten any meal with them other than to celebrate birthdays or secretaries day etc. with the whole staff present. I have never bought any staff flowers, except with the remainder of the staff due to illness or death. I have never bought any special present for any of my staff. In short I have never intentionally done anything to try to "come on" to anyone.

6. In May of 2002, Magistrate Judy St. Louis, who typically worked in Mackinac County, served as a replacement court recorder in Luce County.

Answer: I believe it was sometime in that time frame that both my staff persons in Newberry were gone and Marion Danielson, my court recorder was not working so in order to hold court in Newberry I needed a Certified Electronic Operator and a person who could use our computer

system to type probations, etc. Ms. St. Louis did volunteer to come to Newberry for that one day.

7. At the end of the day , Respondent approached Magistrate St. Louis to thank her for assisting him in court.

Answer: I admit this. By coming to Newberry she had allowed me not to cancel court for that day.

8. Respondent bent over so he was face to face with her, and stated, I really want to thank you."

Answer: I admit saying what was alleged and admit trying to kiss Ms. St. Louis on the cheek. She turned and I kissed her on the lips. She kissed me. We were done with work. She left and I locked to doors as I was the one with keys. It was the Newberry Court House.

9. Responded kissed Magistrate St. Louis on her lips, and he left the room.

Answer: See Number 8 answer for explanation.

10. Approximately three weeks to one month later, while Respondent was working in Mackinac County, magistrate St. Louis went into his office to obtain his signature on some civil judgments.

Answer: Occasionally Ms. St. Louis would come into my office to obtain signatures on judgments. In all such cases at least one of the two doors was open and most often both the door to the hallway facing the clerical area of the court and the door to the courtroom were open.

11. Respondent left his chair, walked around his desk, and grabbed Magistrate St. Louis around her waist.

Answer: It is impossible, months later, for me to recall the specific incident for which no particular date is alleged and no particular time of day. However, I have never "grabbed" Ms. St. Louis for any reason. As I have acknowledge, several times in an effort to bring comfort to Ms. St. Louis I hugged and or kissed her briefly on the lips. This was never intended by me to be sexual and was never for more than an instant. She always returned my kiss. On each and every occasion that I kissed her I would have said something like, "It will be all right, let me give you a kiss." In other words I always gave her the right to say no thanks. These things always occurred in context of an ongoing conversation about Ms. St. Louis's problems. The conversation may have taken place all at one time or in bits and pieces during the day as time allowed between hearing cases. They always occurred in a very public place. They occurred weeks apart as alleged. No hug or kiss was ever meant as a come on or for any sexual purpose. I am deeply saddened if something meant to help her as a friend, was in fact troubling to her instead.

12. Respondent then pulled her toward him, kissed her on her lips, and returned to his seat.

Answer: See response to # 11 for answer to this allegation.

13. Approximately two weeks later, Respondent approached Magistrate St. Louis while she was in her office.

Answer: Admit going into all offices often.

14. He made inquiries about her personal life, including her relationship with her fiance and began rubbing her shoulders and neck.

Answer: Ms. St. Louis was concerned all during this time about her relationship with her fiancé'. I talk with people about their concerns. I never make unsolicited inquiries about peoples' private personal life. To the extent that this alleges that I was inappropriately interested in Ms. St. Louis's personal life the allegation is denied because it is untrue. I may have placed my hands on her shoulders at various times. If that made her uncomfortable, I am truly sorry. However, I deny that such conduct is inappropriate because it is untrue. I deny rubbing her neck because it is untrue.

15. Respondent eventually began discussing a court file, but then bent down so he was face to face with Magistrate St. Louis and kissed her on her lips.

Answer: The answer to # 11 is incorporated herein as an answer to this allegation.

16. Respondent resumed his conversation regarding the court file and left her office.

Answer: No answer is required of this allegation.

17. In December 2002, Magistrate St. Louis was standing at a computer when Respondent approached her from behind, pressed his body against hers so that his pelvis rested against the back side of her body, and grabbed her buttocks.

Answer: At the cash computer in the main office where two other employees have their work station, there is very little room behind the counter. It may be at some time that if Ms. St. Louis was typing a probation for me and had questions with regard to how conditions should be worded that I would have to stand very close and immediately behind her to view the computer monitor. On such occasions the touching described may have occurred. However, I deny ever having grabbed her buttocks, because it is untrue. I further deny trying to press my body against hers because it is untrue. I may however come in contact with her body as I attempted to read the computer monitor.

18. After conducting a brief conversation with Magistrate St. Louis for approximately 20 seconds with his body against her and his hand on her buttocks the entire time, he walked away from her.

Answer: The answer to # 17 is incorporated herein as an answer to this allegation.

19. In the morning of Wednesday January 8, 2003, Magistrate St. Louis was in her office speaking to an attorney on the telephone when the respondent entered her office.

Answer: Since this happened every day it is admitted as true.

20. When she place the attorney on hold to obtain an item from another office, Respondent stood up and would not let her get around him.

Answer: This allegation is denied because it is untrue.

21. Respondent grabbed Magistrate St. Louis, pulled her toward him, and kissed her on the lips.

Answer: Respondent denies grabbing or pulling Ms. St. Louis because it is untrue. The answer to # 11 is incorporate herein as an answer to the remainder of the allegation.

22. Respondent then allowed her to retrieve the item she needed from the other office and walked away.

Answer: No answer is really required, however Ms. St. Louis was always free to retrieve items she needed and often times I helped her look. Some times they were on my desk

23. In the afternoon of Wednesday January 8, 2003 Magistrate St. Louis was working in her office.

Answer: I believe she was working that day, but I have no access to work records to be certain.

24. Respondent entered and began giving her instructions regarding a work assignment.

Answer: No answer is required of this allegation, however, the normal thing I would do is give her small claims or civil judgments to enter. I would normally write the opinion and she would do the judgment and mail it to the parties or attorneys.

25. He then turned the conversation to a personal matter concerning alleged relationship problems Magistrate St. Louis had with her fiancé', and the fact she had called off her wedding.

Answer. This was an ongoing topic of conversation because Ms. St. Louis was very unhappy and very concerned as they were building a new home together with all the attendant problems of building a new home. All during this time she knew that she did not want to set a wedding date or actually get married. If this was the day she told me that she had called off her wedding she was very upset and distracted on that day. I think that was normal.

26. Respondent state, " If we were in a hot tub, I would be licking and kissing you all over. "

Answer: This allegation is denied because it is untrue, and certainly not something I would say or dream of doing to anyone including my wife.

27. As he made that comment responded rubbed Magistrate St. Louis's breasts for approximately five second.

Answer. This allegation is denied because it is untrue.

28. None of Respondents actions directed toward Magistrate St. Louis were invited or welcomed by her.

Answer: None of my actions were seen by me as sexual in any way. None of my actions did I think to be objected to by Magistrate St. Louis. Neither she nor any one else ever told me that any touching or kissing I did to comfort her was objectionable to her. To the extent any of it was I am truly sorry and wish to publicly apologize to Ms. St. Louis.

29. On or around April 30, 2003, Respondent was charged with 4th degree criminal sexual conduct as to his actions regarding Magistrate St. Louis under MCL750.520e, which is a two year high misdemeanor.

Answer: Respondent admits this allegation, however, as of this date this charge has been dismissed.

30. Respondent was also charged with common law misconduct in office for physically assaulting Magistrate St. Louis while serving in a publicly elected office as a district court judge, which is a felony under MCL 750.505.

Answer; Respondent admits being so charged. Respondent denies that this was such a charge at common law or that the same is a felony under MCL 750.505 because he believes that such a charge does not exist regarding a judge in the State of Michigan. However, this charge as well has been dismissed.

In keeping with the spirit of full disclosure required by the rules Respondent on September 12, 2003 entered a plea of No Contest to a Charge of Aggravated Assault with regard to Magistrate St. Louis on January 8, 2003. Sentencing is set for October 28, 2003 at 4.P.M.

Marion Danielson

32. Marion Danielson is Respondent's court recorder for both Mackinac County and Luce County

Answer: Admitted.

33. Approximately four to five years ago respondent first touched or grabbed Ms. Danielson's buttocks.

Answer: Denied if the activity is alleged to be sexual or assaultive. I have never grabbed any person anywhere including the buttock. However I touch often both men and women so some element of this allegation is undoubtedly true. However I never intentionally placed my hand on Ms. Danielson's buttocks. I often placed my hand on her back.

34. As time passed, the incident of touching or grabbing Ms. Danielson's buttocks increased to at least once a week.

Answer: Marion Danielson was both my court recorder and a friend. We often joked, teased and talked. Many times I would place my hand on her back to say it was time to court record and quit talking to other staff about other matters. Again Ms. Danielson never said that any of my physical touching of her was objectionable. I do not believe it was then or is now.

35 . In late 2002 or early 2003, Ms Danielson entered Respondent's office to discuss a work related matter.

Answer: I believe that the work related matter was a request to do something which Ms. Danielson was proficient at doing, but which was not within the job description which had just been developed by the County Board of Commissioners and an outside consultant. This caused considerable concern among employees since their pay rate and raises related to what the responsibilities for their position were, not how well they were performing their job. That meant that some employees got no pay raise even though they were very good employees who not only did their job but also tasks within the job descriptions of other higher paid employees. I believe in this particular situation what was requested of Ms. Danielson was something she was well able to do, but the other person available was not able to do even though her job description would indicate that it was her task. I am also certain that it was necessary to properly accomplish the job so that a member of the public could be served. I do not remember if the problem related to making sure that a sentence was properly entered into the computer or some other matter, but it was something that would have had a very negative effect on an individual if not properly done. I believe that Ms. Danielson responded to my request to do this work by saying something like. "Why don't you have the employee who is getting the big bucks for doing this work do it?". Rather than ordering her to do it, with the attendant hard feelings, I believe I did hold her and not let her up saying that she was being a brat. The whole event was humorous not sexual or

assaultive, however in hind sight I was remiss in not simply having the assigned employee do the work and then calling Newberry to have my very competent court administrator magistrate check to see that it was done right and make any corrections. This was however, well intentioned on my part and I do not believe to this day Ms. Danielson believes that this was a sexual advance or meant to hurt her in any way, rather meant to get a job done properly in difficult circumstances.

36. During the conversation, Respondent suddenly pulled Ms. Danielson onto his lap and held her down so she could not get up.

Answer: See answer to 35 as an answer to this allegation.

37. Respondent placed his arms around her mid-section and squeezed as she struggled to get away from him.

Answer: See answer to 35 as an answer to this allegation.

38. After between 5 and 30 seconds, Ms. Danielson was able to pull away from Respondent.

Answer: See answer 35 as an answer to this allegation.

39. In late February or early March 2003, Respondent was walking in the hallway of the second floor of the Mackinac County building with Ms. Danielson.

Answer: Admitted

40. As he walked down the hallway, his hand was on her buttocks the entire time , and continued to be there while he accompanied Ms. Danielson into her office.

Answer. The walk would have been from her office to the Court Room. My hand was on her back not her buttocks. I doubt it was there the entire time. But it would have been to say, I need you to record, stop talking to whoever about other things and come and help. Again I believe that this was in no way sexual or assaultive, rather a means of impressing on her that it was time to be in court in a friendly way.

41. On one other occasion where the date is uncertain, Respondent approached Ms. Danielson from behind and stood with his body against hers , so that he was straddling her leg and his pelvis was pressing against her side and buttocks

Answer: This may refer to the same Cash computer with no space for two people to fit. Ms. Danielson often typed probations and I may well have been looking at a computer screen to see if it corresponded with what I had ordered. That this was intended by me as a sexual event is denied as untrue.

42. None of Respondents actions directed toward Ms. Danielson were invited or welcomed by her.

Answer: Never did Ms. Danielson object to any of the conduct other than asking her to do something that someone else had been given a pay raise for. I believe none of it was assaultive in any way. If any of it made Ms. Danielson uncomfortable, I am truly sorry.

43. On or around April 30, 2003, Respondent was charged with common law misconduct in office for physically assaulting Ms Danielson while serving in a publicly-elected office as a district court judge, which is a felony under MCL 750.505

Answer: Admit that I was charged one count relating to both Ms. Danielson and Ms. St. Louis. However that charge has now been dismissed I believe, at least in part, because Ms. Danielson has indicated that she was never assaulted by me in any way.

44. This allegation specifies why the conduct alleged previously would be actionable if true and as such requires no response .

Count II

Misuse of Court Computer Equipment

45. Respondent has use of a computer at the Mackinac County District Court.

Answer: Admitted.

46. The computer is provided by the court and is the only one in the court that has access to the internet.

Answer: Admitted. However it should also be stated that this computer was not furnished by the Michigan Supreme Court and that it had no access to the information downloadable from the Supreme Court Administrative Office. That computer was in Newberry. I brought over relevant downloads.

47. The computer is county and/or court property that is used exclusively by Respondent.

Answer: Denied because I believe it to be untrue. Others use the computer. The caseload report was sent by staff using the computer. I was not in the office half of each week. The internet password sat beside the computer. I have no way of knowing who used the computer when I was not there. In the evening when the courthouse was cleaned I was not there. On Monday, Thursday, every other Friday, Saturday and Sunday, I was not there. The computer was in an office that was open every day and used by attorneys, clients, judges, etc.

48. In March 2003, Magistrate St. Louis entered Respondent's office when his back was turned and he was using the computer.

Answer: I can neither admit nor deny this allegation but believe it may well be true.

49. She observed Respondent viewing pornographic material on his computer.

Answer: The computer is not mine, it was the county's. This may well have happened as I have had "pornographic" pop ups on my computer, that means things that I consider to be pornography. I have also sometimes gotten them through my hotmail account. In addition I search the web using my yahoo home page site. I have at home, and I believe I may from time to time at the office found pages of what others would consider to be pornography using that search engine. I have never printed such pages. I have never forwarded such pages to anyone else by email. I have never paid for any such page. I have never marked any such page as a favorite for later viewing. Some pages have some program which changes that page automatically to your home page. If that ever happened in my office in St. Ignace, I immediately changed my home page back to my.yahoo.com when I found it had occurred.

I arrived at work at my office when it opened in the morning and stayed at least until the last staff person left. I always drove the 70 miles between my home and office on my own time. I may well have used the computer inappropriate manner to view material. However, none of that viewed material was illegal. Many times this was when my work was done and the previous judge went home. I however would wait from thirty minutes to 2 hours until the court house closed before I went home. I would read the Detroit Free press on line. I would search ebay. All of this was personal not business and perhaps improper. But I also made use of my home computer to type opinions on occasion, and my home phone and paid the long distance charges for hundred of phone calls while a judge.

50. For at least two years, Respondent has restricted Internet access via that computer to himself, that restrict access to him, and through instruction to the court staff that no one may use the computer other than himself.

Answer: Denied as untrue. The password sat next to the computer on my desk and several staff have computers at home and are computer savvy. I did once humorously say that e-bay should not be checked when there was work to do. Parenthetically, I never was on line when I had other work to do. Staff members used the internet to send in our case load reports and a favorite for that address can be found on the computer. That began less than two years ago and continued until I left at the end of March.

51. The Hi-Tech Crime Unit of the Michigan Attorney General's Office conducted a forensic review of the hard drive in that computer.

Answer: I think this may be true, but I believe so based on hearsay only.

52. The investigation revealed that Respondent's computer had been used to access pornographic web sites and download pornographic materials.

Answer: See answer to # 49 as a partial answer. If download means transfer to disk or hard drive or print, I have never done this, others may have. Also since I furnished all my charge card charges for the past 18 months to the Judicial Tenure Commission previously it seems someone else must have charged paid pornography on this computer which would negate the allegation in Number 50 above.

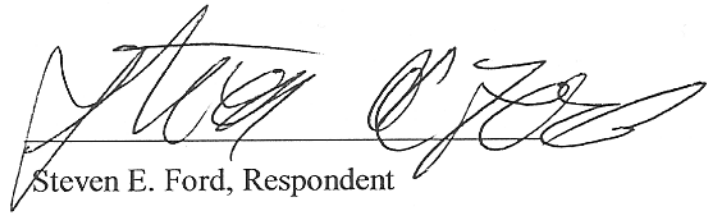
Also anyone who reads this answer should realize the limits of computer forensic science. No one can tell who is at the computer when a computer page is accessed. In this case my home page is a search engine. Anyone turning on my computer and accessing the internet comes to my home page. What they type in can be discovered. When they type it in is determined by the time on the computer. Any neophyte can change the date and time on the computer, type into a search engine, access whatever material they want, and after leaving the internet reset the date and time. Right now my date and time can be anytime during the past or next 20 years that I choose. My e-mail account is password protected. It is not alleged that I sent any e-mail. In retrospect perhaps I should have password protected windows itself, however, I wanted others to be able to use the computer when I was not there.

53. This is a legal conclusion as to the ways that the improper use of the internet may be actionable and hence no answer is required.

So by way of full fair disclosure I admit touching people. I deny that any person has objected to such touching, or if they have I have, I have never touched them again. I deny ever sexually touching anyone other than my wife. I admit I have hugged and kissed many people. In the case of Ms. St. Louis this related almost exclusively to consoling her about her troubled relationship with her fiancé' while they were building a new home. In the case of Ms. Danielson, perhaps some touching was ill advised, but it was never sexual or assaultive. I often used the computer at the end of the day to read newspapers, check email, etc. and from time to time probably viewed something that would be considered by some people to be pornographic. However others had access to the computer as well, and it sat for all but a few hours a week without me being present and with the password next to the computer. Never did I pay for any such material. Never did I send it by e-mail. Never did I download it to the hard drive or to disk. Never did I send a card,

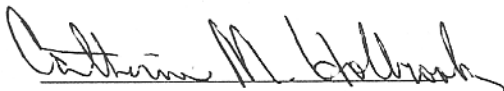
letter, e-mail, or make a phone call to any staff except a few strictly work related phone calls.
Never did I seek any romantic or improper relationship with any staff person.

Dated: September 18, 2003



Steven E. Ford, Respondent

On this 18th day of September 2003 before me a notary public in and for Luce County Michigan appeared Steven E. Ford and before me swore that the answers to the allegations in the Complaint are true to the best of his knowledge.



CATHERINE M. HOLBROOK
NOTARY PUBLIC LUCE CO., MI
MY COMMISSION EXPIRES Apr 3, 2005

Notary Public

Luce County Michigan

My Commission Expires: 4-3-05